



RESOLUTION

GRANTING A SPECIAL MANAGEMENT AREA (SMA) USE PERMIT FOR IMPROVEMENTS AT THE ALA MOANA REGIONAL PARK AND MAGIC ISLAND, AS DESCRIBED IN THE FINAL ENVIRONMENTAL IMPACT STATEMENT, ACCEPTED ON AUGUST 12, 2019, AT 1141, 1201, 1365, 1401, and 1605 ALA MOANA BOULEVARD WITHIN THE SMA.

WHEREAS, on November 4, 2019, the Department of Planning and Permitting (DPP) accepted the application (File No. 2019/SMA-36) from the City and County of Honolulu, Department of Design and Construction, herein referred to as the "Applicant," for an SMA Use Permit, for improvements at the Ala Moana Regional Park and Magic Island (Park), as described in the Final Environmental Impact Statement (FEIS), accepted on August 12, 2019, on land in the P-2 General Preservation District, located at 1141, 1201, 1365, 1401, and 1605 Ala Moana Boulevard, Honolulu, Oahu, and identified as Tax Map Keys 2-3-037: 001, 022, 023, and 025 (the Project); and

WHEREAS, on December 18, 2019, the DPP held a Public Hearing which was attended by 40 members of the public, the Applicant, and their representative; and

WHEREAS, on January 17, 2020, within 20 working days after the close of the Public Hearing, the DPP having duly considered all evidence and the objectives, policies, and guidelines as established in Sections 25-3.1 and 25-3.2, Revised Ordinances of Honolulu (ROH), and Sections 205A-2 and 205A-26, Hawaii Revised Statutes (HRS), completed its report and transmitted its findings and recommendation of approval to the Council; and

WHEREAS, the City Council, having received the findings and recommendation of the DPP on _____, by Departmental Communication _____, and having duly considered all of the findings and reports on the matter, approved the subject application for an SMA Use Permit with the conditions enumerated below; now, therefore,

BE IT RESOLVED by the Council of the City and County of Honolulu that a SMA Use Permit be issued to the Applicant under the following conditions:

- A. Construction of the Park improvements must be in general conformity with the Master Plan as described in this Report and Recommendation of the Director of the Department of Planning and Permitting (DPP), the plans attached hereto as Exhibits A through I, and the Final Environmental Impact Statement (FEIS) accepted August 12, 2019. Any other changes in the size or nature of the approved Project that may have a significant effect on coastal resources addressed in Chapter 25, Revised Ordinances of Honolulu, or Chapter 205A,



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Hawaii Revised Statutes (HRS) will require a new application and permit. Any changes which do not have a significant effect on coastal resources are considered minor modifications and are therefore permitted under this resolution, upon review and approval by the Director of the DPP.

- B. Prior to the issuance of any permit or tree removal that would impact historic features of the Park, the Applicant must obtain approval from Department of Land and Natural Resources, State Historic Preservation Division (SHPD).
- C. Prior to submitting building permits for any new building exceeding 7,500 square feet in floor area, the Applicant must first submit preliminary plans for a confirmation of compliance with the SMA permit, and a determination of no significant impact by the Director of the DPP.
- D. If, during construction, any previously unidentified archaeological sites or remains (including but not limited to human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes) are encountered, the Applicant must stop work and contact the SHPD immediately. Work in the immediate area must be stopped until the SHPD is able to assess the impact and make further recommendations for mitigative activity.
- E. Prior to issuing a Minor Shoreline Structure permit for sand nourishment, the Applicant must prepare and submit the following for review and approval by the DPP:
 - 1. A monitoring program committing the Applicant to monitoring and protecting environmental resources (e.g., flora, fauna, and wave action) that are important to cultural practices throughout the various phases of the sand nourishment project.
 - 2. A schedule of sand nourishment activities designed to limit shoreline area closures to only those minimally necessary to protect public safety.
 - 3. A study confirming that sand contamination testing has taken place prior to sand collection, and that the sand is appropriate for nourishment use, and does not put the public or coastal ecosystem at risk.

These documents, when approved, should be made publicly available in the DPP file.

- F. Prior to the approval of any plans for new paved areas, the Applicant must submit a tree disposition plan for the area. Tree removal should be avoided



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whenever possible. If trees are to be removed, they must be relocated on-site or replaced.

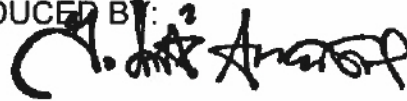
- G. Prior to the approval of any grading or building permits for the dog park, the Applicant must submit a water quality and drainage plan or report confirming the effectiveness of the proposed mitigation measures.
- H. Prior to opening the dog park to the public, the Applicant must erect informational signage of the park rules and the potential impact of uncollected waste on coastal resources.
- I. Water testing should be done quarterly for one year after the dog park is opened to confirm the effectiveness of the dog park's best management practices. If it is determined that these conditions are insufficient after the dog park has been in operation, the Applicant should be required to close the dog park until sufficient actions are taken to mitigate substantial impacts from dog waste entering the coastal ecosystem.
- J. The building permit plans must show that all outdoor light fixtures are fully shielded. All outdoor lights should be of a temperature of 3,000K or less. All outdoor lights (including, but not necessarily limited to floodlights, uplights, or spotlights used for decorative or aesthetic purposes) are prohibited if the light directly illuminates or is directed to project across property boundaries toward the shoreline and ocean waters, except as may otherwise be permitted pursuant to HRS Section 205A-71(b).
- K. To protect the White Tern and Hawaiian Hoary Bat habitat during construction, tree trimming, tree relocation, and tree removal, trees taller than 15 feet in height should not be trimmed, relocated, or removed between June 1 and September 15 during bat birthing and pup rearing season. Tree removal should be conducted in the fall and early winter. Trees should be inspected prior to removal; if a White Tern chick or a roosting Hawaiian Hoary Bat is found during the inspection, the tree should not be trimmed or removed until the chick has fledged or the Hawaiian Hoary Bat has finished roosting.
- L. Approval of this SMA Use Permit does not constitute compliance with other Land Use Ordinance (LUO), or other governmental requirements, including activities within the shoreline setback area, building, grading, and grubbing permits. They are subject to separate review and approval. The Applicant will be responsible for insuring that the final plans for the Project approved under this permit comply with all applicable LUO and other governmental provisions and requirements.



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BE IT FINALLY RESOLVED by the Council of the City and County of Honolulu that copies of this Resolution be transmitted to Mark Yonamine, P.E., Director Designate of the Department of Design and Construction, 650 South King Street, 11th Floor, Honolulu, Hawaii 96813; Kathy K. Sokugawa, Acting Director of the Department of Planning and Permitting, 650 South King Street, 7th Floor, Honolulu, Hawaii 96813; and Mary Alice Evans, Director of the Office of Planning, Attention: Coastal Zone Management Branch, P. O. Box 2359, Honolulu, Hawaii 96804.

INTRODUCED BY:



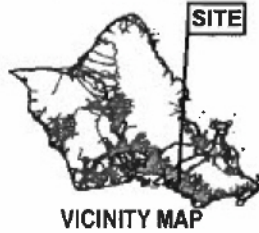
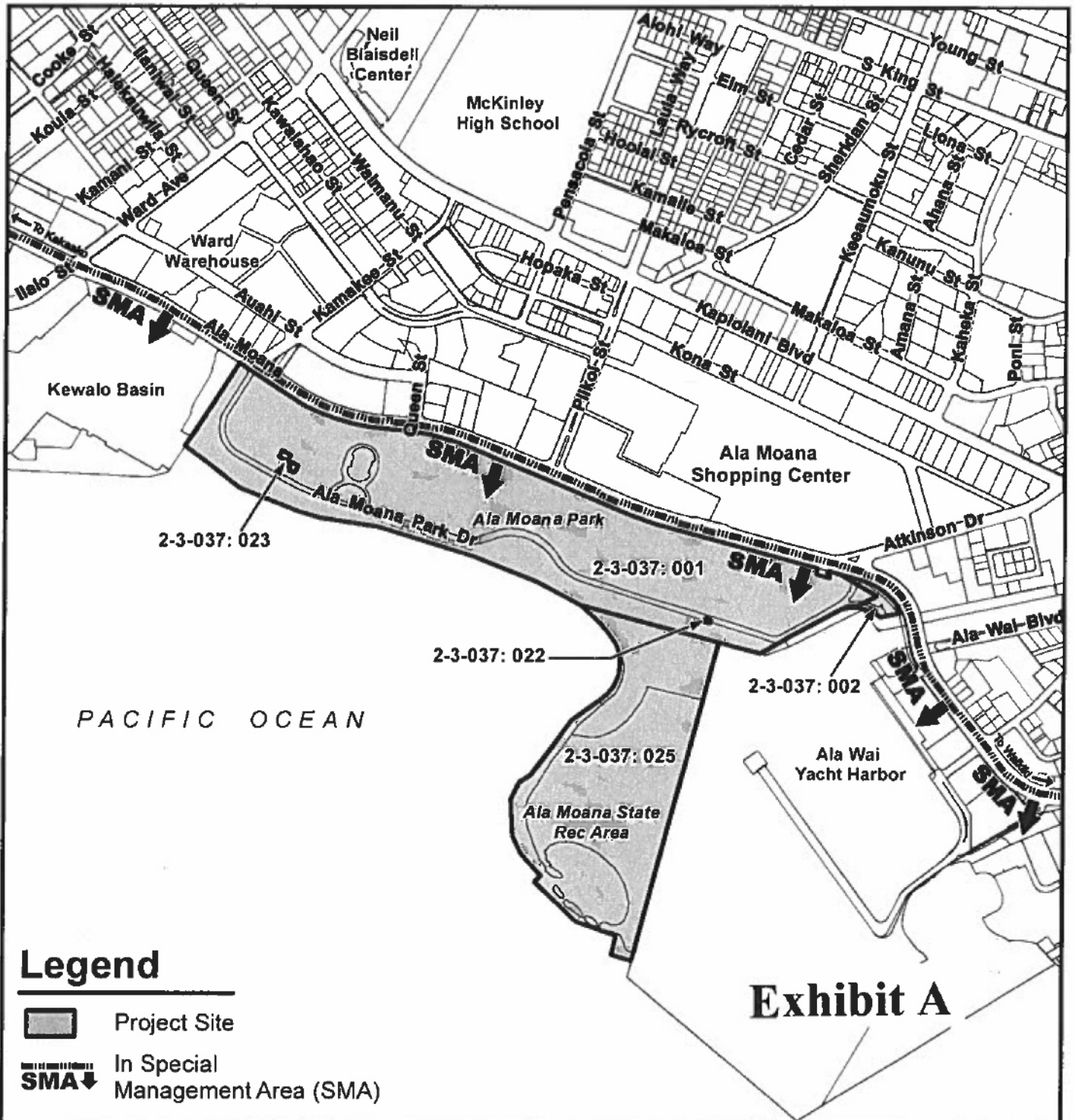
(br)

DATE OF INTRODUCTION:

JAN 23 2020

Honolulu, Hawaii

Councilmembers



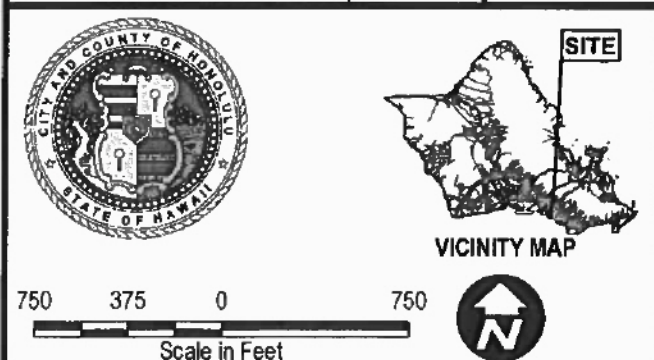
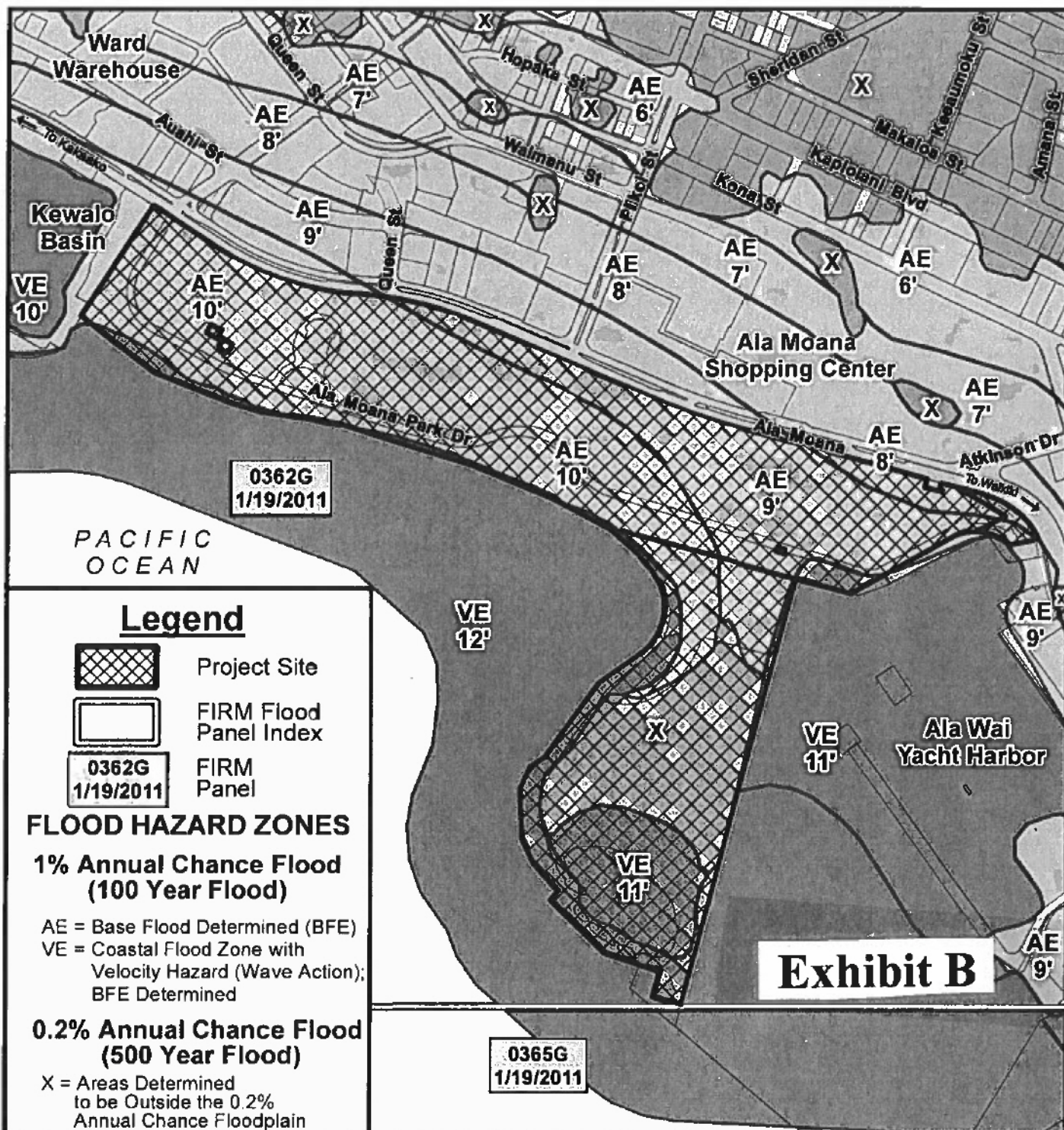
1,000 500 0 1,000
Scale in Feet



LOCATION MAP WITH SMA ALA MOANA PARK AND AINA MOANA STATE PARK, HONOLULU

TAX MAP KEY(S): 2-3-037: 001, 002, 022, 023,
& 025

FOLDER NO.: 2019/SMA-36

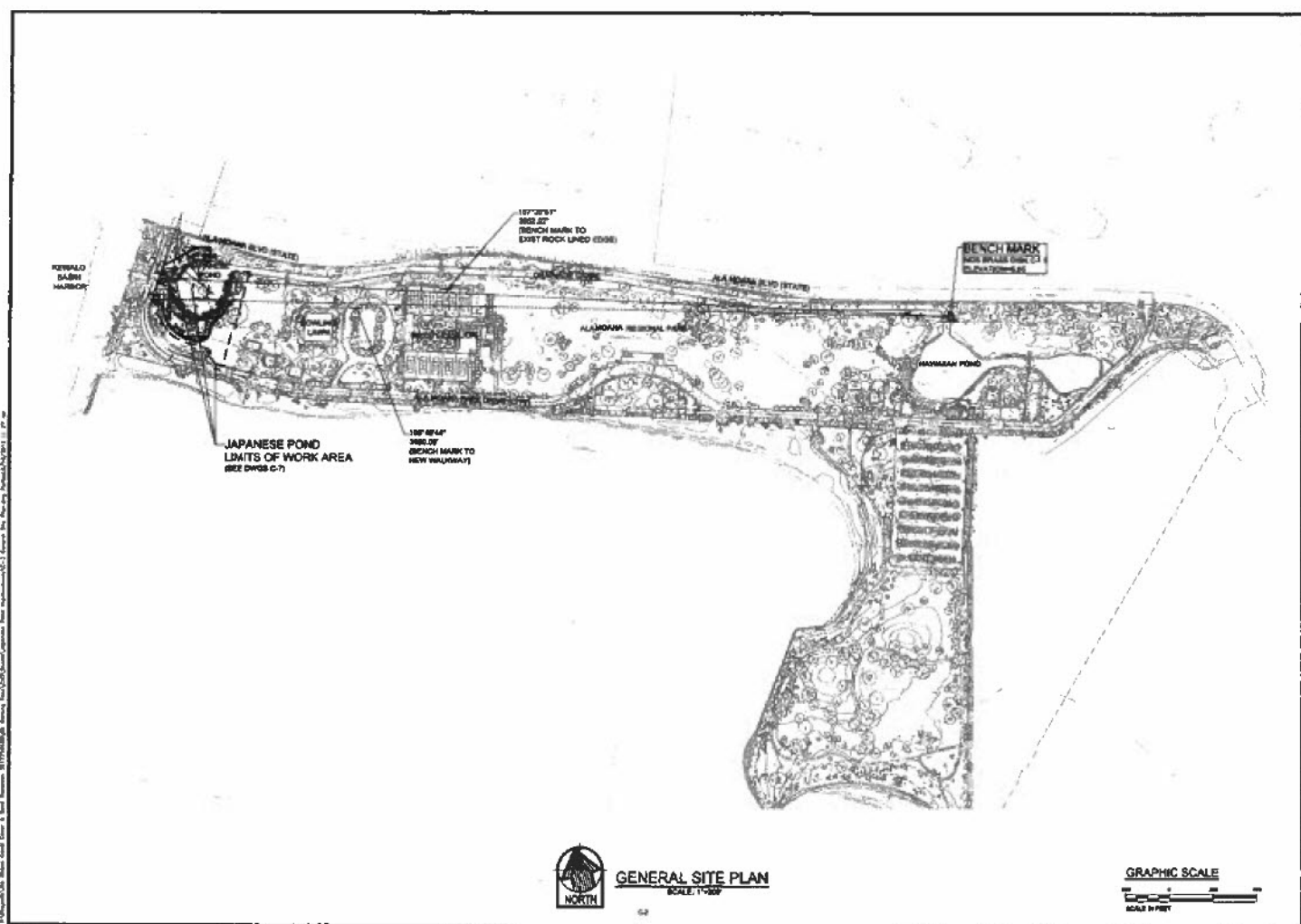


**PORTION OF
FLOOD HAZARD MAP
FIRM PANELS 0362G & 0365G
Dated 1/19/2011**

TAX MAP KEY(S): 2-3-037: 001, 002, 022, 023, & 025

FOLDER NO.: 2019/SMA-36





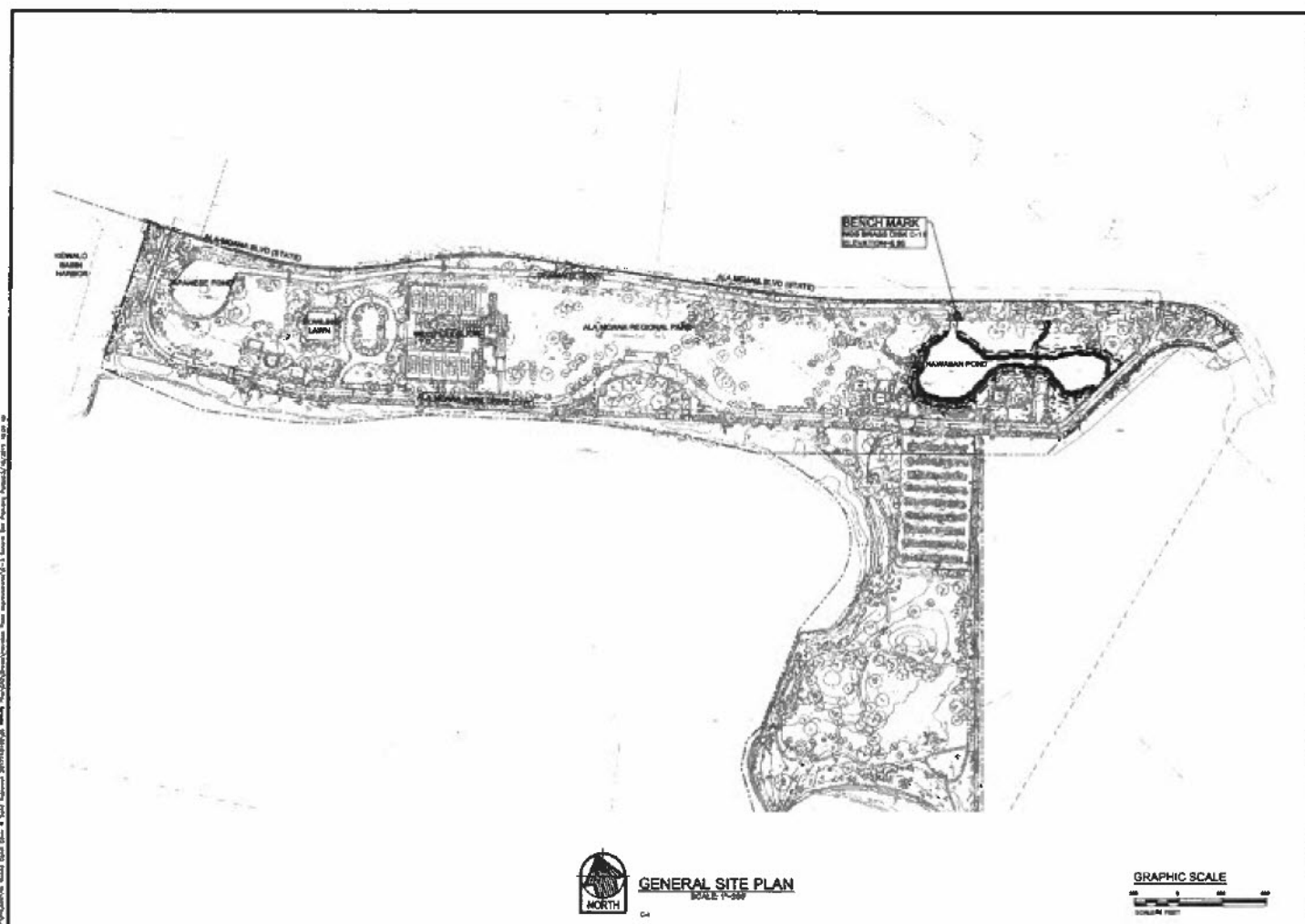
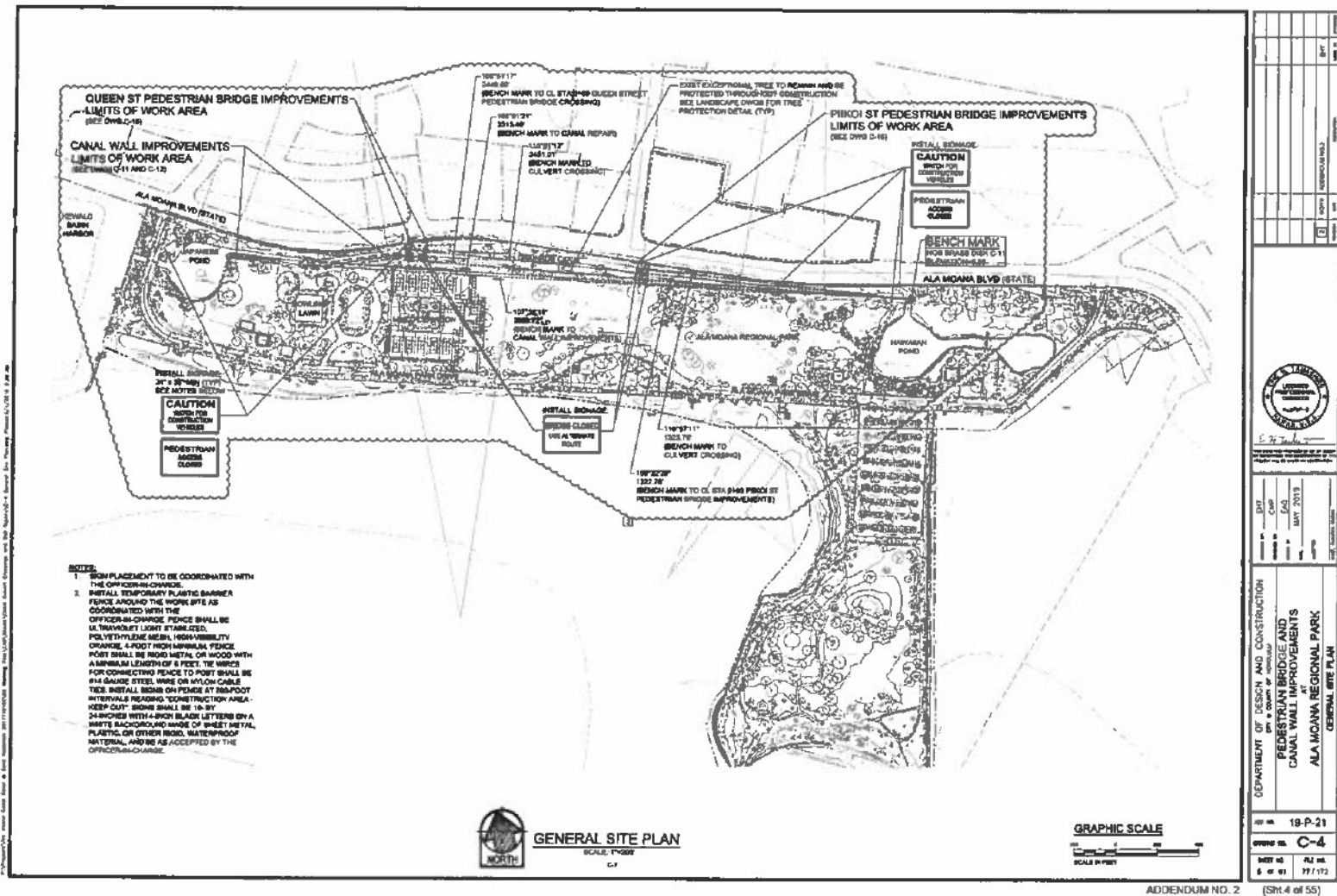
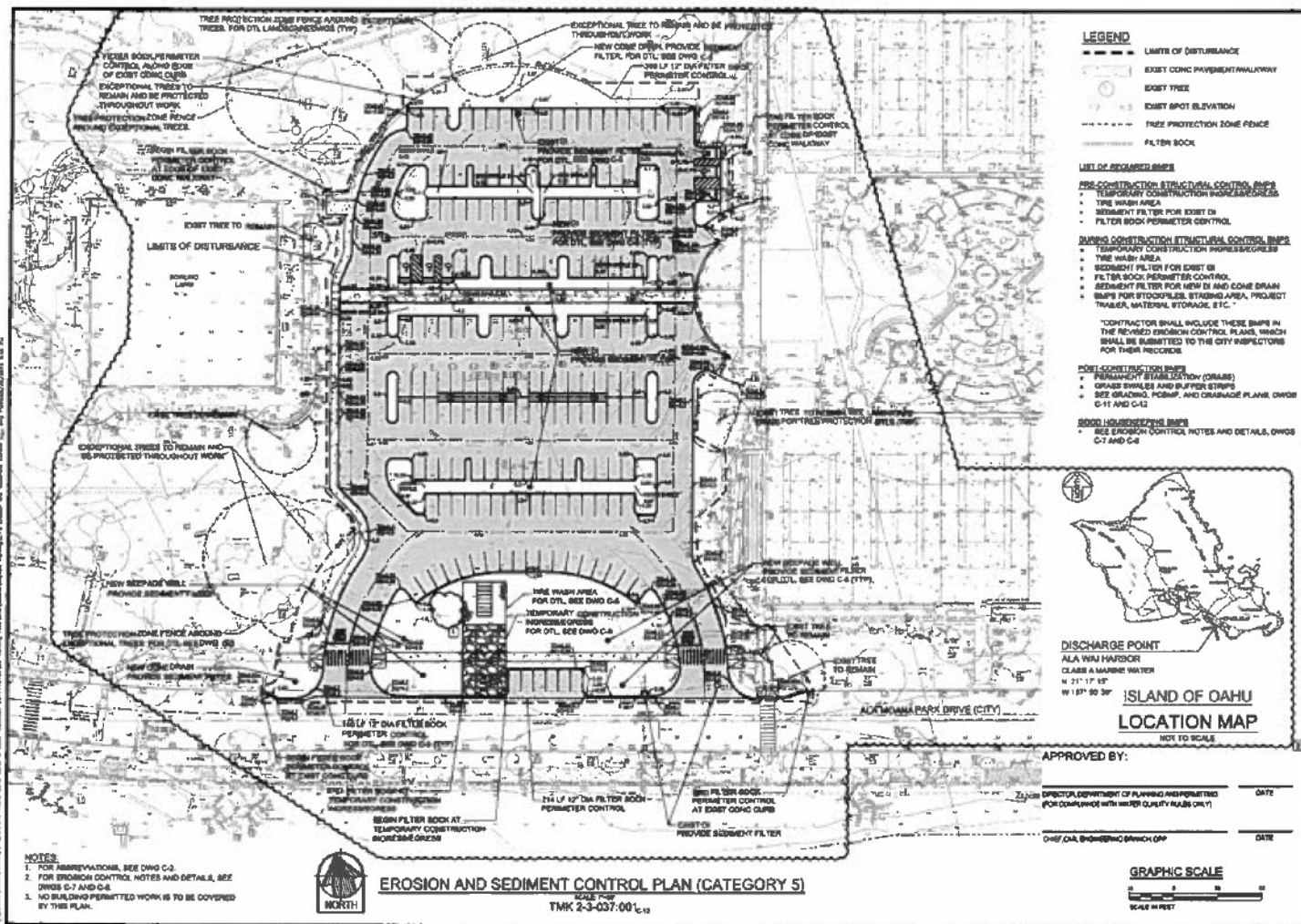


Exhibit E





DEPARTMENT OF DESIGN AND CONSTRUCTION		KEYHOLE PARKING LOT IMPROVEMENTS	
ALAMANA REGIONAL PARK		ALAMANA REGIONAL PARK	
EROSION AND SEDIMENT CONTROL PLAN		EROSION AND SEDIMENT CONTROL PLAN	
DATE	19-P-20	DATE	19-P-20
REVISED	C-6	REVISED	C-6
DATE	10/21/19	DATE	10/21/19
BY	10/21/19	BY	10/21/19

